

REMARKS

Claims 1-14 are currently in this application. These claims have been rejected under 35 U.S.C. § 112, as failing to comply with the written description requirement. In each case, the use of the word “only” was objected to by the Examiner. In each of the claims identified by the Examiner, the word “only” has been eliminated.

The Examiner further rejected selected claims under 35 U.S.C. § 102, citing again Ohba. In connection with other claims, they were rejected under 35 U.S.C. § 103, citing Ohba in combination with Lee and/or Nakamura.

All of the independent claims have been amended to further bring out the unique features of the present invention.

The present invention aims at taking a user through a specific processing in a case where a plurality of touch points are provided on a single display and a plurality of virtual touches made to the plurality of the touch points in a predetermined order which are then detected. In other words, the specific processing mentioned above is not taken if the detected touch is a singular touch. Further, even in a case where a plurality of touches made to the touch points are detected, if the detected touches are not made in accordance with a previously predetermined sequence of specific touch points in the predetermined order, the specific processing is not taken. However, the computer provides the prompts to guide the user to proceed in the specific sequence.

The Examiner states that the description “means for executing predetermined processing when the detecting means detects the virtual touches that have been made to the predetermined number of touch points in the predetermined order” is disclosed in the paragraph 0070 of Ohba. However, according to the description of Fig. 7 and in the paragraph 0070 of Ohba, it is apparent

that the description of the paragraph 0070 identifies displaying a menu having a hierarchic structure. The description discloses that, when a "menu" at the top-most layer is selected, subsequent lower layers, "select1", "select2" or "select3", are displayed. Ohba discloses a technique for implementing a specific processing (namely, displaying following layers) immediately after one of touch points on one layer is selected by the user without prompt. This does not teach the feature of the present invention to prompt the user which of those selections he must make to achieve the desired processing.

In Ohba, all of the plurality of available touch points in the various sequences are not presented to the user in a single display. On the contrary, the entire concept of the hierarchy means that all of the display points will be sequentially provided and are determined only by a previous selection that has been made. As the Examiner continues to focus on Fig. 7 of Ohba, it is noted that which process selection is provided in the right most column depends on which select button is determined by the user. As a result, all of the possible choices of the touch points are not presented to the user all at once in a single display. The concept of a hierarchy is diametrically opposed to the present claimed single display.

Furthermore, the claim clearly indicates that the computer prompts the selection of all of the sequences. This is contrary to Fig. 7 where the computer does not prompt the sequence selection. The sequence selection is made by the user. If the user selects "select 1" the different set of "process" steps will be provided. There is no prompt by the computer to the user as to which button to select. The computer reacts to the selection of the user. It does not prompt and guide the user's selection.

The above mentioned description of Claim 1, "means for executing predetermined processing when the detecting means detects the virtual touches that have been made to the

predetermined number of touch points in the predetermined order”, are supported by the disclosure in the paragraphs 0068, 0074, and 0075 of the US laid-open publication gazette. These paragraphs disclose that a touch pattern is comprised of positions of the touch points touched by a player and an order of the touch points touched by the player (Refer to 0068), touches on the touch points made by the player are accepted as a touch pattern (Refer to S106 in Fig. 5), it is judged whether or not the accepted touch pattern and a touch pattern preliminarily stored in a touch pattern storing part 108 is matched (Refer to S107 in Fig. 5) and if it is identified that the above touch patterns are being matched as a result of the judgment, the specific processing is implemented (Refer to S108 in Fig. 5). We would like to submit that Ohba is silent on this feature of the present invention.

The presentation of all of the plurality of touch points is clearly shown in applicant’s Figs. 8, 10, etc. where it is shown that from the very beginning all of the available touch points are provided. This is also provided by the description.

The predetermination of the decision being made by the computer is described in paragraph 0052. The provision of the navigation or guidance to the player as to which touch points are to be selected is described in paragraph 0064. The prompting is described in paragraph 0063.

Accordingly, it is believed that Ohba is accordingly not applicable to the claims as presently amended.

In connection with the navigation feature, the Examiner relied upon Nakamura, specifically column 30, lines 50-56. Firstly, it should be noted that Nakamura was cited only in conjunction with Ohba and as it is believed that the amended claims remove the applicability of

Ohba, the combination of Ohba and Nakamura are not appropriate against the present claimed invention.

Additionally, what Nakamura is teaching is not a sequence of visual selections in accordance with a sequence. He is talking about indicating positions “at the same rhyme as the rhyme of an example”. In other words, it is a musical rhyme or a beat that is being duplicated. Not a visual selection in accordance with specific sequences and visual prompts.

In the case of our claimed invention, if you do the first selection in accordance with the prompt, then you proceed with the second selection. All of them are displayed on the same screen but it is still a sequence and you must pass the first sequence before you get the second sequence. In the case of the rhyme, it is simply how fast or what enthusiasm you could proceed doing the entire “follow the leader” example. These are not the same as is presently being claimed.

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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